



UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

v.

DAVID GILBERT SAFFRON
a/k/a DAVID GILBERT and
CIRCLE SOCIETY, CORP.,

Defendants.

Case No.

2:19-cv-01697-KJD-DJA

**[PROPOSED] ORDER TEMPORARILY SEALING ENTIRE DOCKET OF A NEW
CIVIL ACTION**

Pursuant to Local Rule I.A.10-5(a), Plaintiff Commodity Futures Trading Commission (“Commission” or “CFTC”) moved this Court for an Order temporarily sealing this new civil action. In its motion, the Commission identified and described each item proposed for sealing, including: Motion for an *Ex Parte* Order to Temporarily Seal the Entire Docket of a New Civil Action with Proposed Order; Complaint; Civil Cover Sheet; Summonses; Motion and Memorandum in Support of Plaintiff’s Motion for an *Ex Parte* Statutory Restraining Order with Proposed Order and Declaration of CFTC Futures Trading Investigator George H. Malas with Exhibits; and Motion and Memorandum in Support of Plaintiff’s Motion for a Preliminary Injunction with Proposed Order and Declaration of CFTC Futures Trading Investigator George H. Malas with Exhibits.

By way of a Motion and Memorandum in Support of Plaintiff’s Motion for an *Ex Parte* Statutory Restraining Order (“SRO Motion”), the Commission is asking this Court for emergency *ex parte* relief in connection with allegations of Defendants’ fraudulent scheme to solicit and misappropriate funds from individuals to participate in an unregistered commodity

1 pool for the purported purpose of trading off-exchange binary option contracts on foreign
2 currency ("forex") and cryptocurrency pairs. The Commission is concerned that any public
3 notice of this case would likely frustrate the emergency relief. The Court finds that, under these
4 circumstances, temporarily sealing this case is required to ensure that Defendants do not transfer
5 or dissipate assets or destroy records concerning Defendants' fraudulent scheme before the
6 Commission has an opportunity to obtain and serve the Proposed SRO.

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8 **WHEREFORE, for good cause shown,**

9 The Commission's Motion to Temporarily Seal Entire Docket of a New Civil Action is
10 **GRANTED** and the Clerk of the Court is directed to accept the items outlined in the
11 Commission's motion for filing under seal.

12 This case is HEREBY sealed until the earlier of: (1) two weeks following issuance of the
13 requested *ex parte* SRO; or (2) until Saffron is served.

14 **IT SO ORDERED:**

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16 UNITED STATES DISTRICT JUDGE

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18 DATED: _____
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